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Supreme Court, U. S.
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JAMES H. McKENNEY,
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No. 678.

In the Supreme Court of the United States,

OCTOBER TERM, 1912.

THE NATIONAL HOME FOR DISABLED VOLUNTEER SOLDIERS ET AL., APPELLANTS,

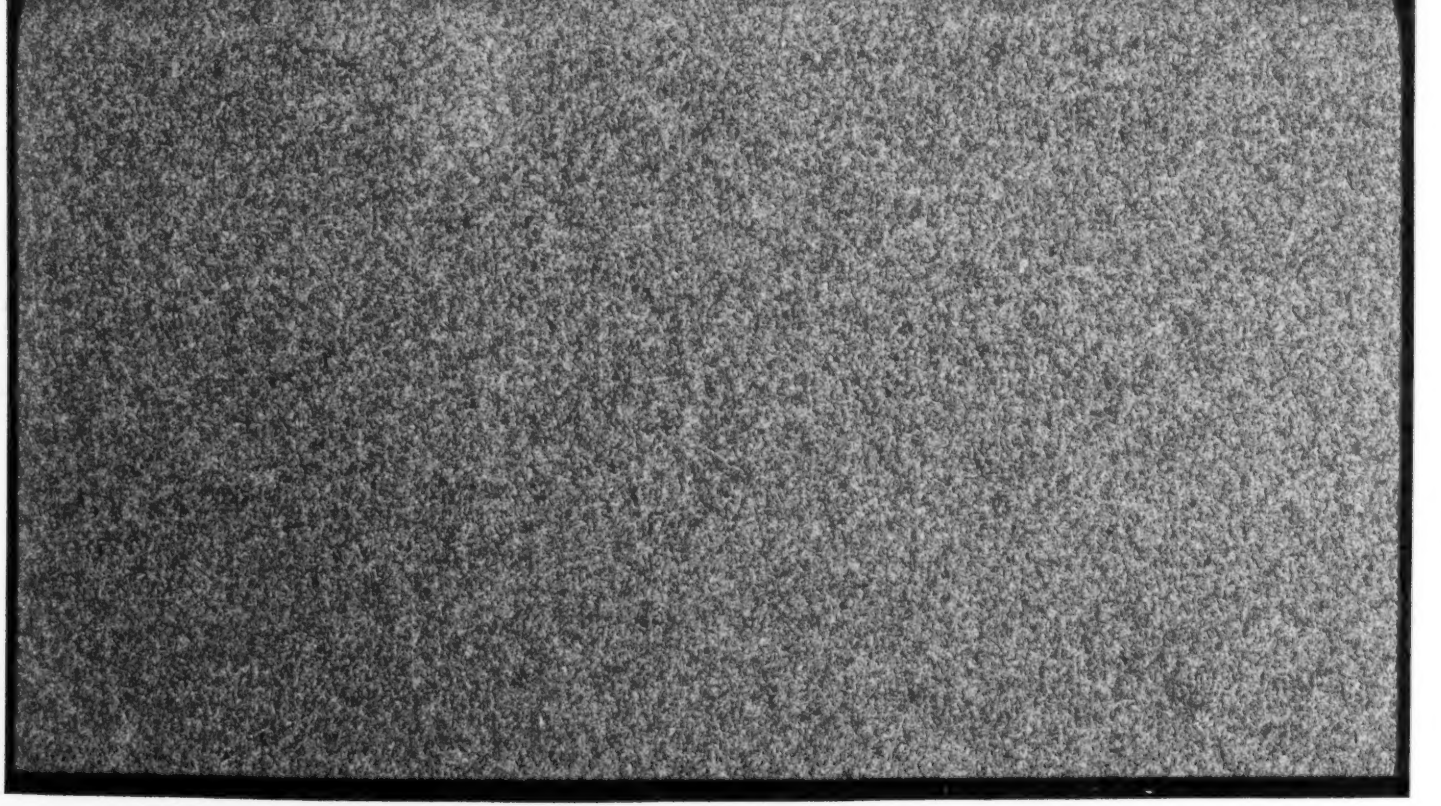
v.

J. E. PARRISH, APPELLEE.

APPEAL FROM THE UNITED STATES CIRCUIT COURT OF APPEALS FOR THE SIXTH CIRCUIT.

MOTION BY THE UNITED STATES TO ADVANCE FOR SUBMISSION ON PRINTED BRIEFS.

WASHINGTON: GOVERNMENT PRINTING OFFICE: 1913



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On behalf of the United States and of opposing counsel, the Attorney General respectfully moves the court to advance the above-entitled cause for immediate submission on printed briefs without oral argument.

This was a suit in equity brought in the Circuit Court by appellant, a Federal charitable corporation, to enforce its right to annul a construction contract with appellee for the latter's default thereunder. Appellee answered and filed a cross bill, denying complainant's right to annulment, and seeking to recover the contract price, with damages.

The final decree awarded appellee $21,242.06, the balance due under his contract, and allowed him interest thereon from the completion of the buildings, $8,496.82. The principal was paid, but an appeal was taken from the allowance of the interest. The decree was affirmed in the Circuit Court of Appeals.

The case presents but one question: whether interest is allowable on a contract claim against a Federal charitable corporation created and existing for purely governmental purposes.

The original bill was filed on August 22, 1903. Judgment was rendered in the Circuit Court in October, 1910, and affirmed by the Circuit Court of Appeals in April, 1912, and the record was filed here June 12, 1912.

It is the desire of the parties to submit the case on briefs without argument, and it is hoped that the court will permit the submission now instead of at the next term, when it may be submitted under Rule 20.

JAMES C. MCREYNOLDS,
Attorney General.

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